

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42736 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- ATHMALGOLA District- Patna

1.

Shrvan Singh S/o Late Ram Nandan Singh R/o Village- Chanda, P.S.- Athmal Gola, District- Patna
2.

Dinesh Singh S/o Late Ram Nandan Singh R/o Village- Chanda, P.S.- Athmal Gola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44091 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- ATHMALGOLA District- Patna

1.

Niraj Kumar S/O Titur Singh @ Tutar Singh R/O Village- Chanda, P.S.- Athmal Gola, District- Patna
2.

Suraj Kumar S/O Titur Singh @ Tutar Singh R/O Village- Chanda, P.S.- Athmal Gola, District- Patna
3.

Sanjay Singh S/O Late Ram Nandan Singh R/O Village- Chanda, P.S.- Athmal Gola, District- Patna
4.

Rahul Kumar @ Rahul Singh S/O Sanjay Singh R/O Village- Chanda, P.S.- Athmal Gola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 42736 of 2025)

For the Petitioner/s : Mr.Bishwa Bijay Kumar, Adv

For the Informant : Mr. Biman Kumar, Adv

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

(In CRIMINAL MISCELLANEOUS No. 44091 of 2025)

For the Petitioner/s : Mr. Bishwa Bijay Kumar, Adv

For the Informant : Mr. Biman Kumar, Adv

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

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12-12-2025

Heard learned counsel for the petitioners, learned



counsel for the informant and learned A.P.P. for the State.

2. Both the applications are arising from the same P.S Case i.e. Athmalgola P.S. Case No. 41 of 2025, hence, they are being heard together and are being decided by a common order.

3. Petitioners apprehends their arrest in connection with Athmalgola P.S. Case No. 41 of 2025 registered for the offences under Sections 126(2), 115(2), 109, 118(1), 352, 351(2) and 3(5) of the B.N.S. and Section 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the other co-accused persons are alleged to have assaulted several persons of the prosecution side. It has further been alleged that the informant was assaulted by the petitioner, Shrvan Singh while one Ajay was assaulted by Abhijeet and one Suryakal Devi was assaulted by Vidyanand. It has further been alleged that the petitioners had assaulted one Vikram Kumar on his head due to which he fell down, thereafter, all the named accused persons again assaulted him and fled away.

5. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in this case and allegations levelled against the petitioners are not corroborated by the injury sustained by the injured persons as stated in the F.I.R. It has further been submitted that the injuries sustained by



the informant as well as Ajay and Suryakal Devi were found to be simple in nature baring the injury sustained by one Vikram in which his left leg was fractured. It is next submitted that there was a case and counter case for the same incident and the petitioner's side too have suffered minor injuries. It has also been submitted that the petitioner, Shrvan Singh and Dinesh Singh have one criminal antecedent while the petitioner, Niraj Kumar, Suraj Kumar and Rahul Kumar have clean criminal antecedent whereas, the petitioner, Sanjay Singh has one criminal antecedent for which a supplementary affidavit has been filed wherein the detail of the said case has been mentioned.

6. Learned counsel for the informant as well as learned APP for the State has vehemently opposed the prayer for anticipatory bail and submitted that the petitioners had brutally assaulted the prosecution side and five persons were injured in such assault. It has further been submitted that the petitioners had an intention to kill as despite the injured, namely, Vikram Kumar who fell down unconscious, the petitioners repeatedly assaulted him even thereafter. It has also been submitted that the petitioners have criminal antecedents, hence, they do not deserve the liberty of anticipatory bail



7. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Athmalgola P.S. Case No. 41 of 2025 subject to the conditions as laid down under Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

8. Accordingly, the present application stands allowed.

9. It is made clear that the observation, if any, made in



this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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